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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,258	11/13/2001	Jeffrey D. Stroomer	X-930 US	7768

24309 7590 01/05/2005

XILINX, INC  
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EXAMINER

BAHTA, KIDEST

ART UNIT PAPER NUMBER

2125

DATE MAILED: 01/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/993,258

Applicant(s)

STROOMER, JEFFREY D.

Examiner

Kidest Bahta

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-37 are rejected under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter. The steps of claims 1-37 consist solely of displaying program code without practical application in the technological arts or simply manipulate abstract ideas without practical application in the technological arts. Merely determining values is too preliminary to permit one of ordinary skill to realize any usefulness in the technological arts. It is noted that claims 1-37 include a query of linked element of the computer program; however, it is unclear how and when to use the claimed invention

To expedite a complete examination of the instant application the claims rejection under 35 U.S. C. 101 (nonstatutory) above are further rejection as set of forth below in anticipation of application amending these claims to place them within the four statutory categories of invention.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bailey (U.S. Patent 6,701,513 in view of Yamamoto et al. (U. S. Patent 6,735,759).

Regarding claims 1-30, Bailey discloses a computer program comprising: displaying program code for the computer program in a user interface comprising a code display window (Fig. 8B); linking at least one element to the displayed program code to a data file (column 16, lines 15-25), the data file comprising implementation instructions for the at least one element of the computer program (column 18, lines 47-67); displaying an implementation instruction selected from the group consisting of program code continents, modified program code, a code execution directive, a compilation directive, and an assembly directive (column 21, lines 24-30); at least one element is selected from the group consisting of functions, variables, and expressions (Fig. 4D); the implementation development window and the code display window are concurrently viewable (Fig. 4D, 8A); the implementation development window does not obscure the code display window when concurrently viewed (column 22, lines 5-25); displaying the program code in a text editor viewable within the code display window (column 21, lines 24-39).

However, Bailey fails to disclose responsive to a query of one of the at least one linked element of the computer program, displaying a corresponding implementation instruction for the queried element in the user interface; displaying program code in the code display window further comprises displaying the program code in a text editor viewable within the code display window; responsive to the query of one of the at least one linked element, inputting an implementation instruction for the queried element in

the implementation on display window; comprising storing the inputted implementation instruction in the data file; displaying the implementation instruction in the implementation display window of the user interface without obscuring the program code.

Yamamoto discloses displaying a corresponding implementation instruction for the queried element in the user interface (Fig. 2); displaying program code in the code display window further comprises displaying the program code in a text editor viewable within the code display window (Abstract); responsive to the query of one of the at least one linked element, inputting an implementation instruction for the queried element in the implementation on display window (Fig. 5); storing the inputted implementation instruction in the data file (Fig. 1 element 108); displaying the implementation instruction in the implementation display window of the user interface without obscuring the program code (Fig. 5 and Fig. 6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to improve the teachings of Bailey with the teachings of Yamamoto in order to easily modify and edit the software program.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
6. Any inquiry concerning communication or earlier communication from the examiner should be directed to Kidest Bahta, whose telephone number is (703) 308-6103. The examiner can normally be reached on M-F from 7:30 a.m. to 5:00 p.m. EST

Art Unit: 2125

(every other Friday). If attempts to reach the examiner by phone fail, the examiner's supervisor, Leo Picard, can be reached (703) 308-0538. Additionally, the fax phone for Art Unit 2125 is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist at (703) 305-9600.

Kidest Bahta



December 23, 2004